

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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A. General Conditions of Eligibility

Each individual covered under the plan:

- | | |
|-------------------------------|--|
| 42 CFR Part 435,
Subpart G | 1. Is financially eligible (using the methods and standards described in Parts B and C of this Attachment) to receive services. |
| 42 CFR Part 435,
Subpart F | 2. Meets the applicable non-financial eligibility conditions.

a. For the categorically needy:

(i) Except as specified under items A.2.a.(ii) and (iii) below, for AFDC-related individuals, meets the non-financial eligibility conditions of the AFDC program.

(ii) For SSI-related individuals, meets the non-financial criteria of the SSI program or more restrictive SSI-related categorically needy criteria. |
| 1902(1) of the
Act | (iii) For financially eligible pregnant women, infants or women, infants or children covered under sections 1902(a)(10)(A)(I)(IV), 1902(a)(10)(A)(i)(VI), 1902(a)(10)(A)(i)(VII), and 1902(a)(10)(A)(ii)(IX) of the Act, meets the non-financial criteria of section 1902(1) of the Act. |
| 1902(m) of the
Act | (iv) For financially eligible aged and disabled individuals disabled individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act, meets the non-financial criteria of section 1902(m) of the Act. |

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

A. General Conditions of Eligibility (Continued)

- | | |
|---|---|
| | 2. b. For the medically needy, meets the non-financial eligibility conditions of 42 CFR Part 435. |
| 1905(p) of the Act | c. For financially eligible qualified Medicare beneficiaries beneficiaries covered under section 1902(a)(10)(E)(i) of Act, meets the non-financial criteria of section 1905(p) of the Act. |
| 1905(s) of the Act | d. For financially eligible qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, meets the non-financial criteria of section 1905(s). |
| 42 CFR 435.402 | 3. Is residing in the United States and -- |
| | a. Is a citizen; |
| Sec. 245A of the Immigration and Nationality Act | b. Is an alien lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law, as defined in 42 CFR 435.408; |
| 1902(a) and 1903(v) of the Act and 245A(h)(3)(B) of the Immigration & Nationality Act | c. Is an alien granted lawful temporary resident status under section 245A and 210A of the Immigration and Nationality Act if the individual is aged, blind, or disabled as defined in section 1614(a)(1) of the Act, under 18 years of age or a Cuban/Haitian entrant as defined in section 501(e)(1) and (2)(A) of P.L. 96-422; |

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

A. General Conditions of Eligibility (Continued)

3. d. Is an alien granted lawful temporary resident status under section 210 of the Immigration and Nationality Act not within the scope of c. above (coverage must be restricted to certain emergency services during the five-year period beginning on the date the alien was granted such status); or
- e. Is an alien who is not lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law (coverage must be restricted to certain emergency services).

42 CFR 435.403
1902(b) of the
Act

4. Is a resident of the State, regardless of whether or not the individual maintains the residence permanently or maintains it at a fixed address.

 X State has interstate residency agreement with the following States:
Arkansas, Colorado, Delaware, Georgia, Hawaii, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, Oklahoma, Rhode Island, South Dakota, West Virginia, Wisconsin

 State has open agreement(s).

 Not applicable; no residency requirement.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

A. General Conditions of Eligibility (Continued)

- | | |
|--|--|
| 42 CFR 435.1008 | 5. a. Is not an inmate of a public institution. Public institutions do not include medical institutions, nursing facilities and intermediate care facilities for the mentally retarded, or publicly operated community residences that serve no more than 16 residents, or certain child care institutions. |
| 42 CFR 435.1008
1905(a) of the
Act | b. Is not a patient under age 65 in an institution for mental diseases except as an inpatient under age 22 receiving active treatment in an accredited psychiatric facility or program.

— Not applicable with respect to individuals under age 22 in psychiatric facilities or programs. Such services are not provided under the plan. |
| 42 CFR 433.145
1912 of the Act | 6. Is required, as a condition of eligibility, to assign his or her own rights, or the rights of any other person who is eligible for Medicaid and on whose behalf the individual has legal authority to execute an assignment, to medical support and payments for medical care from any third party. (Medical support is defined as support specified as being for medical care by a court or administrative order.) |

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

A. General Conditions of Eligibility (Continued)

6. (Continued)

An applicant or recipient must also cooperate in establishing the paternity of any eligible child and in obtaining medical support and payments for himself or herself and any other person who is eligible for Medicaid and on whose behalf the individual can make an assignment; except that individuals described in §1902(l)(1)(A) of the Social Security Act (pregnant women and women in the post-partum period) are exempt from these requirements involving paternity and obtaining support. Any individual may be exempt from the cooperation requirements by demonstrating good cause for refusing to cooperate.

An applicant or recipient must also cooperate in identifying any third party who may be liable to pay for care that is covered under the State plan and providing information to assist in pursuing these third parties. Any individual may be exempt from the cooperation requirements by demonstrating good cause for refusing to cooperate.

Assignment of rights is automatic because of State law.

42 CFR 435.910

7. Is required, as a condition of eligibility, to furnish his/her social security account number (or numbers, if he/she has more than one number), except for aliens seeking medical assistance for the treatment of an emergency medical condition under section 1903(v)(2) of the Social Security Act (section 1137(f)).

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

A. General Conditions of Eligibility (Continued)

1902(c)(2)

8. Is not required to apply for AFDC benefits under title IV-A as a condition of applying for, or receiving, Medicaid if the individual is a pregnant woman, infant, or child that the State elects to cover under sections 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX) of the Act.

1902(e)(10)(A)
and (B) of the
Act

9. Is not required, as an individual child or pregnant woman, to meet requirements under section 402(a)(43) of the Act to be in certain living arrangements. (Prior to terminating AFDC individuals who do not meet such requirements under a State's AFDC plan, the agency determines if they are otherwise eligible under the State's Medicaid plan.)

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

A. General Conditions of Eligibility (Continued)

1906 of the Act

10. Is required to apply for enrollment in an employer-based cost-effective group health plan, if such plan is available to the individual. Enrollment is a condition of eligibility except for the individual who is unable to enroll on his/her own behalf (failure of a parent to enroll a child does not affect a child's eligibility).

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

B. Post-Eligibility Treatment of Institutionalized Individuals' Incomes

1. The following items are not considered in the posteligibility process:

1902(o) of the Act	a. SSI and SSP benefits paid under §1611(e)(1)(E) and (G) of the Act to individuals who receive care in a hospital, nursing home, SNF, or ICF.
Bondi v Sullivan	b. Austrian Reparation Payments (pension [reparation] payments made under §500-506 of the Austrian General Social Insurance Act). Applies only if State follows SSI program rules with respect to the payments.
1902(r)(1) of the Act	c. German Reparations Payments (reparation payments made by the Federal Republic of Germany).
105/206 of P.L. 100-383	d. Japanese and Aleutian Restitution Payments.
1.(a) of P.L. 103-286	e. Netherlands Reparation Payments based on Nazi, but not Japanese, persecution (during World War II).
10405 of P.L. of 101-239	f. Payments from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the In re Agent Orange product liability litigation. M.D.L No. 381 (E.D.N.Y.).
6(h)(2) of P.L. 101-426	g. Radiation Exposure Compensation.
12005 of P.L. 103-66	h. VA pensions limited to \$90 per month under 38 U.S.C. 5503.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

B. Post-Eligibility Treatment of Institutionalized Individuals' Incomes (Cont.)

1924 of the Act
435.725
435.733
435.832

2. The following monthly amounts for personal needs are deducted from total monthly income in the application of an institutionalized individual's or couple's income to the cost of institutionalized care.

Personal Needs Allowance (PNA) of not less than \$30 for individuals and \$60 for couples for all institutionalized persons.

- a. Aged, Blind, Disabled:
Individuals \$ 45.00
Couples \$

For the following individuals with greater need:

Supplement 12 to ATTACHMENT 2.6-A describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and, where appropriate, identifies the organizational unit which determines that a criterion is met.

- b. AFDC related:
Children \$ 45.00
Adults \$ 45.00

Supplement 12 to ATTACHMENT 2.6-A describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and, where appropriate, identifies the organizational unit which determines that a criterion is met.

- c. Individuals under age 21 covered in this plan as specified in Item B.7. of ATTACHMENT 2.2-A.
\$ 45.00

T.N. # 99-05

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

B. Post-Eligibility Treatment of Institutionalized Individuals' Incomes (Cont.)

For the following persons with greater need:
Supplement 12 to ATTACHMENT 2.6-A describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and, where appropriate, identifies the organizational unit which determines that a criterion is met.

1924 of the Act

3. In addition to the amounts under item 2., the following monthly amounts are deducted from the remaining income of an institutionalized individual with a community spouse:
- a. The monthly income allowance for the community spouse, calculated using the formula in §1924(d)(2), is the amount by which the maintenance needs standard exceeds the community spouse's income. The maintenance needs standard can not exceed the maximum prescribed in §1924(d)(3)(C). The maintenance needs standard consists of a poverty level component plus an excess shelter allowance.
- x The poverty level component is calculated using the applicable percentage (set out in §1924(d)(3)(B) of the Act) of the official poverty level.
- The poverty level component is calculated using a percentage greater than the applicable percentage, equal to % of the official poverty level (still subject to maximum maintenance needs standard).
- The maintenance needs standard for all community spouses is set at the maximum permitted by §1924(d)(3)(C). Except that, when applicable, the State will set the community spouse's monthly income allowance at the amount by which exceptional maintenance needs, established at a fair hearing, exceed the community spouse's income, or at the amount of any court-ordered support.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

B. Post-Eligibility Treatment of Institutionalized Individuals' Incomes (Cont.)

In determining any excess shelter allowance, utility expenses are calculated using:

x the standard utility allowance under §5(e) of the Food Stamp Act of 1977, or

___ the actual unreimbursable amount of the community spouse's utility expenses less any portion of such amount included in condominium or cooperative charges.

- b. The monthly income allowance for other dependent family members living with the community spouse is:

x one-third of the amount by which the poverty level component (calculated under §1924(d)(3)(A)(i) of the Act, using the applicable percentage specified in §1924(d)(3)(B) exceeds the dependent family member' monthly income.

___ a greater amount calculated as follows:

The following definition is used in lieu of the definition provided by the Secretary to determine the dependence of family members under §1924(d)(1):

- c. Amounts for health care expenses described below that are incurred by and for the institutionalized individual and are not subject to payments by a third party:
- (i) Medicaid, Medicare, and other health insurance premiums, deductibles, or coinsurance charges, or copayments.
 - (ii) Necessary medical or remedial care recognized under State law but not covered under the State plan. (Reasonable limits on amounts are described in Supplement 3 to ATTACHMENT 2.6-A).

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

B. Post-Eligibility Treatment of Institutionalized Individuals's Incomes (Cont.)

4. In addition to any amounts deductible under the items above, the following monthly amounts are deducted from the remaining monthly income of an institutionalized individual or an institutionalized couple:
- a. An amount for the maintenance needs of each member of a family living in the institutionalized individual's home with no community spouse living in the home. The amount must be based on a reasonable assessment of need but must not exceed the higher of the:
 - AFDC level; or
 - Medically needy level;
 - Other: \$_____
 - b. Amounts for health care expenses described below that have not been deducted under 3.c. above (i.e., for an institutionalized individual with a community spouse), are incurred by and for the institutionalized individual or institutionalized couple, and are not subject to the payment by a third party:
 - (i) Medicaid, Medicare, and other health insurance premiums, deductibles, or coinsurance charges, or copayments.
 - (ii) Necessary medical or remedial care recognized under State law but not covered under the State plan. (Reasonable limits on amounts are described in Supplement 3 to ATTACHMENT 2.6-A).

435.725
435.733
435.832

5. At the option of the State, as specified below, the following is deducted from any remaining monthly income of an institutionalized individual or an institutionalized couple.

A monthly amount for the maintenance of the home of the individual or couple for not longer than 6 months if a physician has certified that the individual, or one member of the institutionalized couple, is likely to return home within that period:

 No.

 x Yes. (the applicable amount is shown on page 5a).

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

B. Post-Eligibility Treatment of Institutionalized Individuals's Incomes (Cont.)

 x Amount for maintenance of home is:

\$ 337.00

 Amount for maintenance of home is the actual
maintenance costs not to exceed \$

 Amount for maintenance of home is deductible when
countable income is determined under §1924(d)(1) of the
Act only if the individual's home and the community
spouse's home are different.

 Amount for maintenance of home is not deductible when
countable income is determined under §1924(d)(1) of the
Act.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

42 CFR 435.711
435.721, 435.831

C. Financial Eligibility

For individuals who are AFDC or SSI recipients, the income and resource levels and methods for determining countable income and resources of the AFDC and SSI program apply, unless the plan provides for more restrictive levels and methods than SSI for SSI recipients under section 1902(f) of the Act, or more liberal methods under section 1902(r)(2) of the Act, as specified below.

For individuals who are not AFDC or SSI recipients in a non-section 1902(f) State and those who are deemed to be cash assistance recipients, the financial eligibility requirements specified in this section C apply.

- Supplement 1 to ATTACHMENT 2.6-A specifies the income levels for mandatory and optional categorically needy groups of individuals, including individuals with incomes related to the Federal income poverty level--pregnant women and infants or children covered under sections 1902(a)(10)(A)(i)(IV), 1902(a)(10)(A)(i)(VI), 1902(a)(10)(A)(i)(VII), and 1902(a)(10)(A)(ii)(IX) of the Act and aged and disabled individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act--and for mandatory groups of qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

— Supplement 2 to ATTACHMENT 2.6-A specifies the resource levels for mandatory and optional categorically needy poverty level related groups, and for medically needy groups.

— Supplement 7 to ATTACHMENT 2.6-A specifies the income levels for categorically needy aged, blind and disabled persons who are covered under requirements more restrictive than SSI.

— Supplement 4 to ATTACHMENT 2.6-A specifies the methods for determining income eligibility used by States that have more restrictive methods than SSI, permitted under section 1902(f) of the Act.

— Supplement 5 to ATTACHMENT 2.6-A specifies the methods for determining resource eligibility used by States that have more restrictive methods than SSI, permitted under section 1902(f) of the Act.

— Supplement 8a to ATTACHMENT 2.6-A specifies the methods for determining income eligibility used by States that are more liberal than the methods of the cash assistance programs, permitted under section 1902(r)(2) of the Act.

X Supplement 8b to ATTACHMENT 2.6-A specifies the methods for determining resource eligibility used by States that are more liberal than the methods of the cash assistance programs, permitted under section 1902(r)(2) of the Act.

X Supplement 14 to ATTACHMENT 2.6-A specifies income levels used by States for determining eligibility of Tuberculosis-infected individuals whose eligibility is determined under section 1902(z)(1) of the Act.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1902(r)(2)
of the Act

1. Methods of Determining Income

a. AFDC-related individuals (except for poverty level related pregnant women, infants, and children).

(1) In determining countable income for AFDC-related individuals, the following methods are used:

X (a) The methods under the State's approved AFDC plan only; or

_____ (b) The methods under the State's approved AFDC plan and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

(2) In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.

1902(e)(6)
of the Act

(3) Agency continues to treat women eligible under the provisions of sections 1902(a)(10) of the Act as eligible, without regard to any changes in income of the family of which she is a member, for the 60-day period after her pregnancy ends and any remaining days in the month in which the 60th day falls.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

42 CFR 435.721
435.831, and
1902(m)(1)(B)(m)(4)
and 1902(r)(2)
of the Act

1. b. Aged individuals. In determining countable income for aged individuals, including aged individuals with incomes up to the Federal poverty level described in section 1902(m)(1) of the Act, the following methods are used:

X The methods of the SSI program only.

 The methods of the SSI program and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

_____ For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in Supplement 4 to ATTACHMENT 2.6-A; and any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

_____ For institutional couples, the methods specified under section 1611(e)(5) of the Act.

_____ For optional State supplement recipients under §435.230, income methods more liberal than SSI, as specified in Supplement 4 to ATTACHMENT 2.6-A.

_____ For optional State supplement recipients in section 1902(f) States and SSI criteria States without section 1616 or 1634 agreements --

_____ SSI methods only.

_____ SSI methods and/or any more liberal methods than SSI described in Supplement 8a to ATTACHMENT 2.6-A.

_____ Methods more restrictive and/or more liberal than SSI. More restrictive methods are described in Supplement 4 to ATTACHMENT 2.6-A and more liberal methods are described in Supplement 8a to ATTACHMENT 2.6-A.

In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

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Condition or Requirement

C. Financial Eligibility (Continued)

42 CFR 435.721 and
435.831
1902(m)(1)(B),
(m)(4), and
1902(r)(2) of
the Act

1. c. Blind individuals. In determining countable income for blind individuals, the following methods are used:
 - X The methods of the SSI program only.
 - SSI methods and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.
 - For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in Supplement 4 to ATTACHMENT 2.6-A, and any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.
 - For institutional couples, the methods specified under section 1611(e)(5) of the Act.
 - For optional State supplement recipients under §435.230, income methods more liberal than SSI, as specified in Supplement 4 to ATTACHMENT 2.6-A.
 - For optional State supplement recipients in section 1902(f) States and SSI criteria States without section 1616 or 1634 agreements--
 - SSI methods only.
 - SSI methods and/or any more liberal methods than SSI described in Supplement 8a to ATTACHMENT 2.6-A.
 - Methods more restrictive and/ or more liberal than SSI. More restrictive methods are described in Supplement 4 to ATTACHMENT 2.6-A and more liberal methods are described in Supplement 8a to ATTACHMENT 2.6-A.

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

In determining relative responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.

42 CFR 435.721,
and 435.831
1902(m)(1)(B),
(m)(4), and
1902(r)(2) of the Act

d. Disabled individuals. In determining countable income of disabled individuals, including individuals with incomes up to the Federal poverty level described in section 1902(m) of the Act the following methods are used:

X The methods of the SSI program.

 SSI methods and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

 For institutional couples: the methods specified under section 1611(e)(5) of the Act.

 For optional State supplement recipients under §435.230: income methods more liberal than SSI, as specified in Supplement 4 to ATTACHMENT 2.6-A.

 For individuals other than optional State supplement recipients (except aged and disabled individuals described in section 1903(m)(1) of the Act): more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in Supplement 4 to ATTACHMENT 2.6-A; and any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

_____ For optional State supplement recipients in section 1902(f) States and SSI criteria States without section 1616 or 1634 agreements--

_____ SSI methods only.

_____ SSI methods and/or any more liberal methods than SSI described in Supplement 8a to ATTACHMENT 2.6-A.

_____ Methods more restrictive and/or more liberal than SSI, except for aged and disabled individuals described in section 1902(m)(1) of the Act. More restrictive methods are described in Supplement 4 to ATTACHMENT 2.6-A and more liberal methods are specified in Supplement 8a to ATTACHMENT 2.6-A.

In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1902(1)(3)(E)
and 1902(r)(2)
of the Act

1. e. Poverty level pregnant women, infants, and children. For pregnant women and infants or children covered under the provisions of sections 1902(a)(10)(A)(i)(IV), (VI), and (VII), and 1902(a)(10)(A)(ii)(IX) of the Act --

(1) The following methods are used in determining countable income:

 X The methods of the State's approved AFDC plan.

 The methods of the approved title IV-E plan.

 The methods of the approved AFDC State plan and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

 The methods of the approved title IV-E plan and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

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Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

- | | |
|---|---|
| 1902(e)(6) of the Act | 1. e. (2) In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21. |
| 1905(p)(1), 1902(m)(4), and 1902(r)(2) of the Act | (3) The agency continues to treat women eligible under the provisions of sections 1902(a)(10) of the Act as eligible, without regard to any changes in income of the family of which she is a member, for the 60-day period after her pregnancy ends and any remaining days in the month in which the 60th day falls. |
| | f. <u>Qualified Medicare Beneficiaries.</u> In determining countable income for qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act, the following methods are used: |
| | <u> X </u> The methods of the SSI program only. |
| | <u> </u> SSI methods and/or any more liberal methods than SSI described in Supplement 8a to ATTACHMENT 2.6-A. |
| | <u> </u> For institutional couples, the methods specified under section 1611(e)(5) of the Act. |

T.N. # 92-02

Approval Date 5-20-92

Supersedes T.N. # 91-21

Effective Date 1-1-92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

If an individual receives a title II benefit, any amounts attributable to the most recent increase in the monthly insurance benefit as a result of a title II COLA is not counted as income during a "transition period" beginning with January, when the title II benefit for December is received, and ending with the last day of the month following the month of publication of the revised annual Federal poverty level.

For individuals with title II income, the revised poverty levels are not effective until the first day of the month following the end of the transition period.

For individuals not receiving title II income, the revised poverty levels are effective no later than the date of publication.

1905(s) of the Act

g. (1) Qualified Disabled and Working Individuals

In determining countable income for qualified disabled and working individuals covered under 1902(a)(10)(E)(ii) of the Act, the methods of the SSI program are used.

1905(p) of the Act

(2) Specified Low-income Medicare Beneficiaries

In determining countable income for specified low-income Medicare beneficiaries covered under 1902(a)(10)(E)(iii) of the Act, the same method as in f. is used.

T.N. # 93-07

Approval Date 4-12-93

Supersedes T.N. # 92-02

Effective Date 1-1-93

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1902(u) of the Act

1. h. COBRA Continuation Beneficiaries

In determining countable income for COBRA continuation beneficiaries, the following disregards are applied:

- ☐ The disregards of the SSI program;
- ☐ The agency uses methodologies for treatment of income more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 to Attachment 2.6-A.

NOTE: For COBRA continuation beneficiaries specified at 1902(u)(4), costs incurred from medical care or for any other type of remedial care shall not be taken into account in determining income, except as provided in section 1612(b)(4)(B)(ii).

1902(z) of the Act

i. In determining countable income for individuals infected with tuberculosis, the following disregards are applies:

- ☒ The disregards of the SSI program;
- ☐ The agency uses methodologies for treatment of income more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 to ATTACHMENT 2.6-A.

T.N. # 94-03

Approval Date 11-22-94

Supersedes T.N. # 91-25

Effective Date 1-1-94

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1902(a)(10)(A)(ii)
(XIII) of the Act

1. j. In determining countable income and resources for working disabled individuals who buy in to Medicaid the following methodologies are applied:
- ☐ The methodologies of the SSI program;
 - ☐ The agency uses methodologies for treatment of income and resources more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 to Attachment 2.6-A.
 - ☒ The agency uses more liberal income and/or resource methodologies than the SSI program. More liberal methodologies are described in Supplement 8a to ATTACHMENT 2.6-A. More liberal resource methodologies are described in Supplement 8b to ATTACHMENT 2.6-A.
 - ☒ The agency requires individuals to pay premiums or other cost-sharing charges. The premiums or other cost-sharing charges, and how they are applied, are described below:

T.N. # 02-09

Approval Date 11-26-02

Supersedes T.N. # 01-21

Effective Date 7-1-02

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

1902(a)(10)(A)(ii)
(XIII) of the Act

1. j. (1) When household income exceeds 100% of the federal poverty guideline, the individual will be required to pay a premium equal to a percentage of the individual's net countable income. Net countable income is determined by allowing the SSI general income disregard and earned income disregards, and health insurance premiums paid by the individual for the individual or the individual's family. The income used to find the premium percentage includes the individual's and the spouse's income. The percentage will correspond to what poverty level rate the net countable income of the individual and spouse falls between using the following premium structure:

Income Over	But Not More Than	Premium Equals
0	125% FPL	30%
125% FPL	150% FPL	35%
150% FPL	175% FPL	40%
175% FPL	200% FPL	45%
200% FPL	225% FPL	50%
225% FPL	250% FPL for appropriate household size	55%

T.N. # 02-09

Approval Date 11-26-02

Supersedes T.N. # New

Effective Date 7-1-02

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1902(k) of the Act

2. Medicaid Qualifying Trusts

In the case of a Medicaid qualifying trust described in section 1902(k)(2) of the Act, the amount from the trust that is deemed available to the individual who established the trust (or whose spouse established the trust) is the maximum amount that the trustee(s) is permitted under the trust to distribute to the individual. This amount is deemed available to the individual, whether or not the distribution is actually made. This provision does not apply to any trust or initial trust decree established before April 7, 1986, solely for the benefit of a mentally retarded individual who resides in an intermediate care facility for the mentally retarded.

_____ The agency does not count the funds in a trust as described above in any instance where the State determines that it would work an undue hardship. Supplement 10 of ATTACHMENT 2.6-A specifies what constitutes an undue hardship.

1917(d) of the Act

- a. For treatment of trusts established on or after August 11, 1993, the State is in compliance with the provisions of 1917(d) of the Social Security Act as established by the provisions of the Omnibus Reconciliation Act of 1993. In the case of a trust described in 1917(d) of the Act, the agency does not count the funds in the trust in any instance where the State determines that it would work an undue hardship. Supplement 10 of ATTACHMENT 2.6-A specifies what constitutes an undue hardship.

1902(a)(10) of the Act

3. Medically needy income levels (MNILs) are based on family size.

_____ Supplement 1 to ATTACHMENT 2.6-A specifies the MNILs for all covered medically needy groups. If the agency chooses more restrictive levels under section 1902(f) of the Act, Supplement 1 so indicates.

Supersedes T.N. # 91-21

Effective Date 10-1-93

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

42 CFR 435.732,
435.831

4. Handling of Excess Income - Spend-down for the Medically Needy in All States and the Categorically Needy in 1902(f) States Only

a. Medically Needy

- (1) Income in excess of the MNIL is considered as available for payment of medical care and services. The Medicaid agency measures available income for periods of one month(s) (not to exceed 6 months) to determine the amount of excess countable income applicable to the cost of medical care and services.
- (2) If countable income exceeds the MNIL standard, the agency deducts the following incurred expenses in the following order:
 - (a) Health insurance premiums, deductibles and coinsurance charges.
 - (b) Expenses for necessary medical and remedial care not included in the plan.
 - (c) Expenses for necessary medical and remedial care included in the plan.

 Reasonable limits on amounts of expenses deducted from income under a.(2)(a) and (b) above are listed below.

1902(a)(17) of the Act

Incurred expenses that are subject to payment by a third party are not deducted unless the expenses are subject to payment by a third party that is a publicly funded program (other than Medicaid) of a State or local government.

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 88-29

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

1903(f)(2) of
the Act

C. Financial Eligibility (Continued)

X (3) If countable income exceeds the MNIL standard, the agency deducts spenddown payments made to the State by the individual.

T.N. # 91-25

Approval Date 7-10-92

Supersedes T.N. # 91-02

Effective Date 12-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

4. b. Categorically Needy - Section 1902 (f) States

42 CFR
435.732

The agency applies the following policy under the provisions of section 1902(f) of the Act. The following amounts are deducted from income to determine the individual's countable income:

- (1) Any SSI benefit received.
- (2) Any State supplement received that is within the scope of an agreement described in sections 1616 or 1634 of the Act, or a State supplement within the scope of section 1902(a)(10)(A)(ii)(XI) of the Act.
- (3) Increases in OASDI that are deducted under §§435.134 and 435.135 for individuals specified in that section, in the manner elected by the State under that section.
- (4) Other deductions from income described in this plan at Attachment 2.6-A, Supplement 4.
- (5) Incurred expenses for necessary medical and remedial services recognized under State law.

1902(a)(17) of the
Act, P.L. 100-203

Incurred expenses that are subject to payment by a third party are not deducted unless the expenses are subject to payment by a third party that is a publicly funded program (other than Medicaid) of a State or local government.

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 88-29

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

1903(f)(2) of
the Act

4. b. (6) Spenddown payments made to the State by the
Individual.

NOTE: FFP will be reduced to the extent a State is paid a
spenddown payment by the individual.

T.N. # 91-25

Approval Date 7-10-92

Supersedes T.N. # New

Effective Date 12-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

5. Methods for Determining Resources

a. AFDC-related individuals (except for poverty level related pregnant women, infants, and children).

(1) In determining countable resources for AFDC-related individuals, the following methods are used:

 (a) The methods under the State's approved AFDC plan; and

 X (b) The methods under the State's approved AFDC plan and/or any more liberal methods described in Supplement 8b to ATTACHMENT 2.6-A.

(2) In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 87-30

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1902(a)(10)(A),
1902(a)(10)(C),
1902(m)(1)(B)
and (C), and
1902(r) of the Act

5. b. Aged individuals. For aged individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act, the agency used the following methods for treatment of resources:

X The methods of the SSI program.

 SSI methods and/or any more liberal methods described in Supplement 8b to ATTACHMENT 2.6-A.

 Methods that are more restrictive (except for individuals described in section 1902(m)(1) of the Act) and/or more liberal than those of the SSI program. Supplement 5 to ATTACHMENT 2.6-A describes the more restrictive methods and Supplement 8b to ATTACHMENT 2.6-A specifies the more liberal methods.

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 87-30

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

5. b. In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses.

1902(a)(10)(A),
1902(a)(10)(C),
1902(m)(1)(B), and
1902(r) of the Act

- c. Blind individuals. For blind individuals the agency uses the following methods for treatment of resources:

 X The methods of the SSI program.

 SSI methods and/or any more liberal methods described in Supplement 8b to ATTACHMENT 2.6-A.

 Methods that are more restrictive and/or more liberal than those of the SSI program. Supplement 5 to ATTACHMENT 2.6-A describe the more restrictive methods and Supplement 8b to ATTACHMENT 2.6-A specify the more liberal methods.

In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 87-30

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1902(a)(10)(A),
1902(a)(10)(C),
1902(m)(1)(B)
and (C), and
1902(r)(2) of
the Act

5. d. Disabled individuals, including individuals covered under Section 1902(a)(10)(A)(ii)(X) of the Act. The agency uses _____ the following methods for the treatment of resources:

X The methods of the SSI program.

_____ SSI methods and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

_____ Methods that are more restrictive (except for individuals described in section 1902(m)(1) of the Act) and/or more liberal than those under the SSI program. More restrictive methods are described in Supplement 5 to ATTACHMENT 2.6-A and more liberal methods are specified in Supplement 8b to ATTACHMENT 2.6-A.

In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

1902(2)(3)
and 1902(r)(2)
of the Act

e. Poverty level pregnant women covered under sections 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX)(A) of the Act

The agency uses the following methods in the treatment of resources.

_____ The methods of the SSI program only.

X The methods of the SSI program and/or any more liberal methods described in Supplement 5a or Supplement 8b to ATTACHMENT 2.6-A.

T.N. # 93-33Approval Date 12-16-94Supersedes T.N. # 91-21Effective Date 1-1-94

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

5. e. Methods that are more liberal than those of SSI. The more liberal methods are specified in Supplement 5a or Supplement 8b to ATTACHMENT 2.6-A.

 X Not applicable. The agency does not consider resources in determining eligibility.

In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

1902(1)(3) and
1902(r)(2) of
the Act

- f. Poverty level infants covered under section 1902(a)(10)(A)(i)(IV) of the Act.

The agency uses the following methods for the treatment of resources:

 The methods of the State's approved AFDC plan.

 Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), in accordance with section 1902(1)(3)(C) of the Act, as specified in Supplement 8a to ATTACHMENT 2.6-A.

1902(1)(3)(C)
of the Act

1902(r)(2)
of the Act

 Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), as described in Supplement 5a or Supplement 8b to ATTACHMENT 2.6-A.

 X Not applicable. The Agency does not consider resources in determining eligibility.

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 88-13

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1902(1)(3) and
1902(r)(2) of
the Act

5. g. (1) Poverty level children covered under section 1902(a)(10)(A)(i)(VI) of the Act.

The agency uses the following methods for the treatment of resources:

_____ The methods of the State's approved AFDC plan.

1902(1)(3)(C)
of the Act

_____ Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), in accordance with section 1902(1)(3)(C) of the Act, as specified in Supplement 5a of ATTACHMENT 2.6-A.

1902(r)(2)
of the Act

_____ Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), as described in Supplement 8b to ATTACHMENT 2.6-A.

X _____ Not applicable. The agency does not consider resources in determining eligibility.

In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

T.N. # 92-02

Approval Date 5-20-92

Supersedes T.N. # 91-21

Effective Date 1-1-92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1902(1)(3) and
1902(r)(2) of _____
the Act

5. g. (2) Poverty level children under section
1902(a)(10)(A)(i)(VII)

The agency uses the following methods for the
treatment of resources:

 X The methods of the State's approved AFDC plan.

1902(1)(3)(C)
the Act

 Methods more liberal than those in the State's
approved AFDC plan (but not more restrictive) as
specified in Supplement 5a of ATTACHMENT
2.6-A.

1902(r)(2)
of the Act

 Methods more liberal than those in the State's
approved AFDC plan (but not more restrictive), as
described in Supplement 8a to ATTACHMENT
2.6-A.

 Not applicable. The agency does not consider
resources in determining eligibility.

In determining relative responsibility, the agency
considers only the resources of spouses living in the
same household as available to spouses and the
resources of parents as available to children living
with parents until the children become 21.

T.N. # 92-02

Approval Date 5-20-92

Supersedes T.N. # 91-21

Effective Date 1-1-92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1905(p)(1)
(C) and (D) and
1902(r)(2) of
the Act

5. h. For Qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act the agency uses the following methods for treatment of resources:

 X The methods of the SSI program only.

 The methods of the SSI program and/or more liberal methods as described in Supplement 8b to ATTACHMENT 2.6-A.

1905(s) of the
Act

- i. For qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, the agency uses SSI program methods for the treatment of resources.

1902(u) of the
Act

- j. For COBRA continuation beneficiaries, the agency uses the following methods for treatment of resources:

 The methods of the SSI program only.

 More restrictive methods applied under section 1902(f) of the Act as described in Supplement 5 to Attachment 2.6-A.

T.N. # 91-25

Approval Date 7-10-92

Supersedes T.N. # 91-21

Effective Date 12-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1902(a)(10)(E)(iii)
of the Act

5. k. Specified low-income Medicare beneficiaries covered under section 1902(a)(10)(E)(iii) of the Act--

The agency uses the same method as in 5.h. of Attachment 2.6-A.

1902(z) of the Act

- (1) For individuals infected with tuberculosis, the agency uses the following methods for treatment of resources:

 X The methods of the SSI program only.
 More restrictive methods applied under section 1902(f) of the Act as described in Supplement 5 to ATTACHMENT 2.6-A.

6. Resource Standard - Categorically Needy

- a. 1902(f) States (except as specified under items 6.c. and d. below) for aged, blind and disabled individuals:

 Same as SSI resource standards.
 More restrictive.

The resource standards for other individuals are the same as those in the related cash assistance program.

- b. Non-1902(f) States (except as specified under items 6.c. and d. below)

The resource standards are the same as those in the related cash assistance program.

Supplement 8 to ATTACHMENT 2.6-A specifies for 1902(f) States the categorically needy resource levels for all covered categorically needy groups.

T.N. # 94-03

Approval Date 11-22-94

Supersedes T.N. # 93-22

Effective Date 1-1-94

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1902(1)(3)(A),
(B) and (C) of
the Act

6. c. For pregnant women and infants covered under the provisions of section 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX) of the Act, the agency applies a resource standard.

 Yes. Supplement 2 to ATTACHMENT 2.6-A specifies the standard which, for pregnant women, is no more restrictive than the standard under the SSI program; and for infants is no more restrictive than the standard applied in the State's approved AFDC plan.

 X No. The agency does not apply a resource standard to these individuals.

1902(1)(3)(A)
and (C) of
the Act

- d. For children covered under the provisions of section 1902(a)(10)(A)(i)(VI) of the Act, the agency applies a resource standard.

 Yes. Supplement 2 to ATTACHMENT 2.6-A specifies the standard which is no more restrictive than the standard applied in the State's approved AFDC plan.

 X No. The agency does not apply a resource standard to these individuals.

1902(1)(3)(D)
of the Act

- e. For children covered under the provisions of section 1902(a)(10)(A)(i)(VII) of the Act, the agency applies a resource standard.

 X Yes. Supplement 2 to ATTACHMENT 2.6-A specifies the standard which is no more restrictive than the standard applied in the State's approved AFDC plan.

 No. The agency does not apply a resource standard to these individuals.

T.N. # 92-02

Approval Date 5-20-92

Supersedes T.N. # 91-21

Effective Date 1-1-92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1902(m)(1)(C)
and (m)(2)(B)
of the Act

6. f. For aged and disabled individuals described in section 1902(m)(1) of the Act who are covered under section 1902(a)(10)(A)(ii)(X) of the Act, the resource standard is:

 Same as SSI resource standards.

 Same as the medically needy resource standards, which are higher than the SSI resource standards (if the State covers the medically needy).

Supplement 2 to ATTACHMENT 2.6-A specifies the resource levels for these individuals.

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 87-30

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1902(a)(10)(C)(i)
of the Act

7. Resource Standard - Medically Needy

- a. Resource standards are based on family size.
- b. A single standard is employed in determining resource eligibility for all groups.
- ☐ c. In 1902(f) States, the resource standards are more restrictive than in 7.b. above for--
 - ☐ Aged
 - ☐ Blind
 - ☐ Disabled

☐ Supplement 2 to ATTACHMENT 2.6-A specifies the resource standards for all covered medically needy groups. If the agency chooses more restrictive levels under 7.c., Supplement 2 so indicates.

1905(p)(1)(D)
and (p)(2)(B)
of the Act

8. Resource Standard - Qualified Medicare Beneficiaries and Specified Low-Income Medicare Beneficiaries

For qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act and specified low-income Medicare beneficiaries covered under section 1902(a)(10)(E)(iii) of the Act, the resource standard is twice the SSI standard.

1905(s) of the
Act

9. Resource Standard - Qualified Disabled and Working Individuals

For qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, the resource standard for an individual or a couple (in the case of an individual with a spouse) is twice the SSI resource standard.

T.N. # 93-22

Approval Date 7-19-93

Supersedes T.N. # 91-21

Effective Date 4-1-93

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

1902(u) of the
Act

9. (a) For COBRA continuation beneficiaries, the resource
standard is:

_____ Twice the SSI resource standard for an individual.

_____ More restrictive standard as applied under section
1902(f) of the Act as described in Supplement 8 to
Attachment 2.6-A.

T.N. # _____ 91-25 _____

Approval Date _____ 7-10-92 _____

Supersedes T.N. # _____ New _____

Effective Date _____ 12-1-91 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

1902(u) of the Act

10. Excess Resources

- a. Categorically Needy, Qualified Medicare Beneficiaries, Qualified Disabled and Working Individuals, and Specified Low-Income Medicare Beneficiaries

Any excess resources make the individual ineligible.

- b. Categorically Needy Only

— This State has a section 1634 agreement with SSI. Receipt of SSI is provided for individuals while disposing of excess resources.

- c. Medically Needy

Any excess resources make the individual ineligible.

T.N. # 93-22

Approval Date 7-19-93

Supersedes T.N. # 91-21

Effective Date 4-1-93

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

42 CFR
435.914

11. Effective Date of Eligibility

a. Groups Other Than Qualified Medicare Beneficiaries

(1) For the prospective period.

Coverage is available for the full month if the following individuals are eligible at any time during the month.

X Aged, blind, disabled.

X AFDC-related.

Coverage is available only for the period during the month for which the following individuals meet the eligibility requirements.

 Aged, blind, disabled.

 AFDC-related.

(2) For the retroactive period.

Coverage is available for three months before the date of application if the following individuals would have been eligible had they applied:

X Aged, blind, disabled.

X AFDC-related.

Coverage is available beginning the first day of the third month before the date of application if the following individuals would have been eligible at any time during that month, had they applied.

 Aged, blind, disabled.

 AFDC-related.

T.N. # 01-20

Approval Date 11-20-01

Supersedes T.N. # 91-21

Effective Date 10-1-01

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1920(b)(1) of
the Act

11. X (3) For a presumptive eligibility for pregnant women only.

Coverage is available for ambulatory prenatal care for the period that begins on the day a qualified provider determines that a woman meets any of the income eligibility levels specified in ATTACHMENT 2.6-A of this approved plan. If the woman files an application for Medicaid by the last day of the month following the month in which the qualified provider made the determination of presumptive eligibility, the period ends on the day that the State agency makes the determination of eligibility based on that application. If the woman does not file an application for Medicaid by the last day of the month following the month in which the qualified provider made the determination, the period ends on that last day.

1902(e)(8) and
1905(a) of the
Act

X b. For qualified Medicare beneficiaries defined in section 1905(p)(1) of the Act coverage is available beginning with the first day of the month after the month in which the individual is first determined to be a qualified Medicare beneficiary under section 1905(p)(1). The eligibility determination is valid for--

X 12 months

6 months

— months (no less than 6 months and no more than 12 months)

T.N. # 92-02

Approval Date 5-20-92

Supersedes T.N. # 91-21

Effective Date 1-1-92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1902(a)(18)
and 1902(f) of
the Act

12. Pre-OBRA 93 Transfer of Resources - Categorically
and Medically Needy, Qualified Medicare Beneficiaries,
and Qualified Disabled and Working Individuals

The agency complies with the provisions of section 1917 of the Act with respect to the transfer of resources.

Disposal of resources at less than fair market value affects eligibility for certain services as detailed in Supplement 9 to ATTACHMENT 2.6-A.

1917(c)

13. Transfer of Assets - All Eligibility Groups

The agency complies with the provisions of section 1917(c) of the Act, as enacted by OBRA 93, with regard to the transfer of assets.

Disposal of assets at less than fair market value affects eligibility for certain services as detailed in Supplement 9(a) to ATTACHMENT 2.6-A, except in instances where the agency determines that the transfer rules would work an undue hardship.

1917(d)

14. Treatment of Trusts - All Eligibility Groups

The agency complies with the provisions of section 1917(d) of the Act, as amended by OBRA 93, with regard to trusts.

— The agency uses more restrictive methodologies under section 1902(f) of the Act, and applies those methodologies in dealing with trusts;

— The agency meets the requirements in section 1917(d)(f)(B) of the Act for use of Miller trusts.

The agency does not count the funds in a trust in any instance where the agency determines that the transfer would work an undue hardship, as described in Supplement 10 to ATTACHMENT 2.6-A.

T.N. # 95-09
Supersedes T.N. # 91-21

Approval Date 8-17-95
Effective Date 7-1-95

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1924 of the Act

15. The agency complies with the provisions of §1924 with respect to income and resource eligibility and posteligibility determinations for individuals who are expected to be institutionalized for at least 30 consecutive days and who have a spouse living in the community.

When applying the formula used to determine the amount of resources in initial eligibility determinations, the State standard for community spouses is:

 the maximum standard permitted by law;

 X the minimum standard permitted by law; or

 \$ a standard that is an amount between the minimum and the maximum.

T.N. # 99-01Approval Date 4-28-99Supersedes T.N. # NewEffective Date 1-1-99

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

INCOME ELIGIBILITY LEVELS

A. MANDATORY CATEGORICALLY NEEDY

1. AFDC-Related Groups Other Than Poverty Level Pregnant Women and Infants:

Family Size	Need Standard	Payment Standard	Maximum Payment Amounts	Penalty Grant Levels, May 1, 1988 1902(c)(1)
1	337	253	253	217
2	468	351	351	301
3	583	438	438	376
4	682	511	511	439
5	777	582	582	500
6	856	642	642	550
7	896	672	672	577
8	938	703	703	604
9	982	736	736	632
10	1,023	767	767	659
11	1,066	799	799	685
12	1,108	831	831	713
13	1,150	863	863	740
14	1,192	893	893	767
15	1,235	926	926	795
16	1,277	958	958	822

2. Pregnant Women and Infants under Section 1902(a)(10)(i)(IV) of the Act:

Effective April 1, 1990, based on the following percent of the official Federal income poverty level --

X 133 percent _____ percent (no more than 185 percent)
(Specify)

<u>Family Size</u>	<u>Income Level</u>
1	\$ _____
2	\$ _____
3	\$ _____
4	\$ _____
5	\$ _____

T.N. # 98-08

Approval Date 1-10-00

Supersedes T.N. # 94-26

Effective Date 7-1-98

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

INCOME ELIGIBILITY LEVELS

A. MANDATORY CATEGORICALLY NEEDY (Continued)

3. For children under Section 1902(a)(10)(i)(VI) of the Act (children who have attained age 1 but have not attained age 6), the income eligibility level is 133 percent of the Federal poverty level (as revised annually in the Federal Register) for the size family involved.
4. For children under Section 1902 (a)(10)(i)(VII) of the Act (children who were born after September 30, 1983 and have attained age 6 but have not attained age 19), the income eligibility level is 100 percent of the Federal poverty level (as revised annually in the Federal Register) for the size family involved.

T.N. # 92-02

Approval Date 5-20-92

Supersedes T.N. # 91-21

Effective Date 1-1-92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

INCOME ELIGIBILITY LEVELS

B. OPTIONAL CATEGORICALLY NEEDY GROUPS WITH INCOMES RELATED TO
FEDERAL POVERTY LEVEL

1. Pregnant Women and Infants

The levels for determining income eligibility for optional groups of pregnant women and infants under the provisions of sections 1902(a)(1)(A)(ii)(IX) and 1902(1)(2) of the Act are as follows:

Based on _____ percent of the official Federal income poverty level (no less than 133 percent and no more than 185 percent).

<u>Family Size</u>	<u>Income Level</u>
<u>1</u>	<u>\$</u>
<u>2</u>	<u>\$</u>
<u>3</u>	<u>\$</u>
<u>4</u>	<u>\$</u>
<u>5</u>	<u>\$</u>

N/A

T.N. # 92-06

Approval Date 4-17-92

Supersedes T.N. # 91-21

Effective Date 1-1-92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

INCOME ELIGIBILITY LEVELS

B. OPTIONAL CATEGORICALLY NEEDY GROUPS WITH INCOMES RELATED TO
FEDERAL POVERTY LEVEL (continued)

2. Children Between Ages 6 and 8

The levels for determining income eligibility for groups of children who are born after September 30, 1983 and who have attained 6 years of age but are under 8 years of age under the provisions of Section 1902(1)(2) of the Act are as follows:

Based on 100 percent (no more than 100 percent) of the official Federal income poverty line.

<u>Family Size</u>	<u>Income Level</u>
<u>1</u>	<u>\$</u>
<u>2</u>	<u>\$</u>
<u>3</u>	<u>\$</u>
<u>4</u>	<u>\$</u>
<u>5</u>	<u>\$</u>
<u>6</u>	<u>\$</u>
<u>7</u>	<u>\$</u>
<u>8</u>	<u>\$</u>
<u>9</u>	<u>\$</u>
<u>10</u>	<u>\$</u>

N/A

T.N. # 92-06

Approval Date 4-17-92

Supersedes T.N. # 91-21

Effective Date 1-1-92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

INCOME ELIGIBILITY LEVELS

B. OPTIONAL CATEGORICALLY NEEDY GROUPS WITH INCOMES RELATED TO
FEDERAL POVERTY LEVEL (continued)

3. Aged and Disabled Individuals

The levels for determining income eligibility for groups of aged and disabled individuals under the provisions of Section 1902(m)(1) of the Act are as follows:

Based on 100 percent of the official Federal income poverty line.

<u>Family Size</u>	<u>Income Level</u>
<u>1</u>	<u>\$</u>
<u>2</u>	<u>\$</u>
<u>3</u>	<u>\$</u>
<u>4</u>	<u>\$</u>
<u>5</u>	<u>\$</u>

____ If an individual receives a Title II benefit, any amount attributable to the most recent increase in the monthly insurance benefit as a result of a Title II COLA is not counted as income during a "transition period" beginning with January, when the Title II benefit for December is received, and ending with the last day of the month following the month of publication of the revised annual Federal poverty level.

For individuals with Title II income, the revised poverty levels are not effective until the first day of the month following the end of the transition period.

____ For individuals not receiving Title II income, the revised poverty levels are effective no later than the beginning of the month following the date of publication.

T.N. # 95-08

Approval Date 9-14-95

Supersedes T.N. # 93-22

Effective Date 7-1-95

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

INCOME LEVELS (Continued)

D. MEDICALLY NEEDED

X Applicable to all groups. Applicable to all groups except those specified below. Excepted group income levels are also listed on an attached page 3.

(1)	(2)	(3)	(4)	(5)
Family Size	Net income level protected for maintenance for <u>1</u> month	Amount by which Column (2) exceeds limits specified in 42 CFR 435.1007*	New income level for persons living in rural areas for <u> </u> months	Amount by which Column (4) exceeds limits specified in 42 CFR 435.1007*
	<u> </u> urban only	<u>X</u> urban and rural		
1	\$ 382	\$	\$	\$
2	\$ 468	\$	\$	\$
3	\$ 583	\$	\$	\$
4	\$ 682	\$	\$	\$
For each additional person, add:	\$	\$	\$	\$

* The agency has methods for excluding from its claim for FFP payments made on behalf of individuals whose income exceeds these limits.

T.N. # 98-08

Approval Date 1-10-00

Supersedes T.N. # 94-26

Effective Date 7-1-98

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

INCOME LEVELS (Continued)

D. MEDICALLY NEEDY (continued)

(1)	(2)	(3)	(4)	(5)
Family Size	Net income level protected for maintenance for <u>1</u> month	Amount by which Column (2) exceeds limits specified in 42 CFR 435.1007*	New income level for persons living in rural areas for <u> </u> months	Amount by which Column (4) exceeds limits specified in 42 CFR 435.1007*
	<u> </u> urban only	<u> X </u> urban and rural		
5	\$ 777	\$	\$	\$
6	\$ 857	\$	\$	\$
7	\$ 897	\$	\$	\$
8	\$ 938	\$	\$	\$
9	\$ 982	\$	\$	\$
10	\$ 1023	\$	\$	\$
For each additional person, add:	\$	\$	\$	\$

* The agency has methods for excluding from its claim for FFP payments made on behalf of individuals whose income exceeds these limits.

T.N. # 98-08

Approval Date 1-10-00

Supersedes T.N. # 94-26

Effective Date 7-1-98

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

INCOME LEVELS (Continued)

D. MEDICALLY NEEDY (continued)

(1)	(2)	(3)	(4)	(5)
Family Size	Net income level protected for maintenance for <u>1</u> month	Amount by which Column (2) exceeds limits specified in 42 CFR 435.1007*	New income level for persons living in rural areas for <u> </u> months	Amount by which Column (4) exceeds limits specified in 42 CFR 435.1007*
	<u> </u> urban only	<u> X </u> urban and rural		
11	\$ 1066	\$	\$	\$
12	\$ 1108	\$	\$	\$
13	\$ 1150	\$	\$	\$
14	\$ 1192	\$	\$	\$
15	\$ 1236	\$	\$	\$
16	\$ 1277	\$	\$	\$
For each additional person, add: about \$42, based upon a multiplier that is uniformly applied to each household size.				
	\$	\$	\$	\$

* The agency has methods for excluding from its claim for FFP payments made on behalf of individuals whose income exceeds these limits.

T.N. # 98-08

Approval Date 1-10-00

Supersedes T.N. # New

Effective Date 7-1-98

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAHRESOURCE LEVELS

A. CATEGORICALLY NEEDY GROUPS WITH INCOMES RELATED TO FEDERAL POVERTY LEVEL1. Pregnant Womena. Mandatory Groups☐ Same as SSI resources levels.☒ Less restrictive than SSI source levels and is as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	<u>\$5,000</u>
<u>2</u>	<u>\$5,000</u>

b. Optional Groups☐ Same as SSI resources levels.☐ Less restrictive than SSI resource levels and is as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	
<u>2</u>	

N/A

T.N. # 93-33Approval Date 12-16-94Supersedes T.N. # 91-21Effective Date 1-1-94

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

RESOURCE LEVELS

A. CATEGORICALLY NEEDY GROUPS WITH INCOMES RELATED TO FEDERAL POVERTY LEVEL (continued)

2. Infants

a. Mandatory Group of Infants

 Same as resource levels in the State's approved AFDC plan.

 Less restrictive than the AFDC levels and are as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	<u> </u>
<u>2</u>	<u> </u>
<u>3</u>	<u> </u>
<u>4</u>	<u> </u>
<u>5</u>	<u> </u>
<u>6</u>	<u> </u>
<u>7</u>	<u> </u>
<u>8</u>	<u> </u>
<u>9</u>	<u> </u>
<u>10</u>	<u> </u>

N/A

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 89-05

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

RESOURCE LEVELS

A. CATEGORICALLY NEEDY GROUPS WITH INCOMES RELATED TO FEDERAL POVERTY LEVEL (continued)

b. Optional Group of Infants

☐ Same as resource levels in the State's approved AFDC plan.

☐ Less restrictive than the AFDC levels and are as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	<u> </u>
<u>2</u>	<u> </u>
<u>3</u>	<u> </u>
<u>4</u>	<u> </u>
<u>5</u>	<u> </u>
<u>6</u>	<u> </u>
<u>7</u>	<u> </u>
<u>8</u>	<u> </u>
<u>9</u>	<u> </u>
<u>10</u>	<u> </u>

N/A

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # New

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

RESOURCE LEVELS

A. CATEGORICALLY NEEDY GROUPS WITH INCOMES RELATED TO FEDERAL POVERTY LEVEL (continued)

3. Children

- a. Mandatory Group of Children under Section 1902(a)(10)(i)(VI) of the Act. (Children who have attained age 1 but have not attained age 6.)

☐ Same as resource levels in the State's approved AFDC plan.

☐ Less restrictive than the AFDC levels and are as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	<u> </u>
<u>2</u>	<u> </u>
<u>3</u>	<u> </u>
<u>4</u>	<u> </u>
<u>5</u>	<u> </u>
<u>6</u>	<u> </u>
<u>7</u>	<u> </u>
<u>8</u>	<u> </u>
<u>9</u>	<u> </u>
<u>10</u>	<u> </u>

N/A

T.N. # 92-02

Approval Date 5-20-92

Supersedes T.N. # 91-21

Effective Date 1-1-92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

RESOURCE LEVELS

A. CATEGORICALLY NEEDY GROUPS WITH INCOMES RELATED TO FEDERAL POVERTY LEVEL (continued)

- b. Mandatory Group of Children under Section 1902(a)(10)(i)(VII) of the Act. (Children born after September 30, 1983 who have attained age 6 but have not attained age 19.)

☐ Same as resource levels in the State's approved AFDC plan.

☒ Less restrictive than the AFDC levels and are as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	<u>\$2,000</u>
<u>2</u>	<u>3,000</u>
<u>3</u>	<u>3,025</u>
<u>4</u>	<u>3,050</u>
<u>5</u>	<u>3,075</u>
<u>6</u>	<u>3,100</u>
<u>7</u>	<u>3,125</u>
<u>8</u>	<u>3,150</u>
<u>9</u>	<u>3,175</u>
<u>10</u>	<u>3,200</u>

T.N. # 92-02

Approval Date 5-20-92

Supersedes T.N. # 91-21

Effective Date 1-1-92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

RESOURCE LEVELS

A. CATEGORICALLY NEEDY GROUPS WITH INCOMES RELATED TO FEDERAL POVERTY LEVEL (continued)

4. Aged and Disabled Individuals

☐ Same as SSI resource levels.

☐ More restrictive than SSI levels and are as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	<u> </u>
<u>2</u>	<u> </u>
<u>3</u>	<u> </u>
<u>4</u>	<u> </u>
<u>5</u>	<u> </u>

☐ Same as medically needy resource levels (applicable only if State has a medically needy program).

N/A

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 89-05

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

RESOURCE LEVELS

B. MEDICALLY NEEDY

Applicable to all groups --

 Except those specified below under the provisions of Section 1902(f) of the Act.

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	<u>\$2,000</u>
<u>2</u>	<u>3,000</u>
<u>3</u>	<u>3,025</u>
<u>4</u>	<u>3,050</u>
<u>5</u>	<u>3,075</u>
<u>6</u>	<u>3,100</u>
<u>7</u>	<u>3,125</u>
<u>8</u>	<u>3,150</u>
<u>9</u>	<u>3,175</u>
<u>10</u>	<u>3,200</u>
For each additional person	<u>25</u>

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 89-10

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

REASONABLE LIMITS ON AMOUNTS FOR NECESSARY MEDICAL
OR REMEDIAL CARE NOT COVERED UNDER MEDICAID

N/A

T.N. # _____ 89-05 _____

Approval Date _____ 3-9-89 _____

Supersedes T.N. # _____ 85-12 _____

Effective Date _____ 1-1-89 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

METHODS FOR TREATMENT OF INCOME THAT DIFFER FROM
THOSE OF THE SSI PROGRAM

(Section 1902(f) more restrictive methods and criteria and State supplement criteria in SSI criteria States without section 1634 agreements and in section 1902(f) States. Use to reflect more liberal methods only if you limit to State supplement recipients. DO NOT USE this supplement to reflect more liberal policies that you elect under the authority of section 1902(r)(2) of the Act. Use Supplement 8a for section 1902(r)(2) methods.)

N/A

T.N. # _____ 91-21 _____

Approval Date _____ 12-16-91 _____

Supersedes T.N. # _____ 89-05 _____

Effective Date _____ 10-1-91 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

MORE RESTRICTIVE METHODS OF TREATING RESOURCES
THAN THOSE OF THE SSI PROGRAM - Section 1902(f) States only

N/A

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 89-05

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

METHODS FOR TREATMENT OF RESOURCES FOR INDIVIDUALS
WITH INCOMES RELATED TO FEDERAL POVERTY LEVELS

The methods of the SSI program will be used with the more liberal methodologies listed below:

1. At the initial determination of eligibility, the State will disregard 96% of resources once the applicant has spent down the remaining 4%.
2. This resource spenddown applies only to pregnant women covered under sections 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX)(A) of the Act. It is not the State's intention to apply a resource spenddown to any other eligibility group.

T.N. # 93-33

Approval Date 12-16-94

Supersedes T.N. # 91-21

Effective Date 1-1-94

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

STANDARDS FOR OPTIONAL STATE SUPPLEMENTARY PAYMENTS

Payment Category (Reasonable Classification)	Administered by		Income Level				Income Disregards Employed
			<u>Gross</u>		<u>Net</u>		
	Federal	State	1 person	Couple	1 person	Couple	
	N/A						

T.N. # 89-05Approval Date 3-9-89Supersedes T.N. # 85-12Effective Date 1-1-89

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

INCOME LEVELS FOR 1902(f) STATES - CATEGORICALLY NEEDY
WHO ARE COVERED UNDER REQUIREMENTS MORE RESTRICTIVE THAN SSI

N/A

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 89-05

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

RESOURCE STANDARDS FOR 1902(f) STATES - CATEGORICALLY NEEDY

N/A

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 89-05

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

MORE LIBERAL METHODS OF TREATING INCOME
UNDER SECTION 1902(r)(2) OF THE ACT

-
1. Interest accrued on funds an individual contributes to a demonstration Individual Development Account will be excluded from countable income.
 2. To determine eligibility for individuals under 1902(a)(10)(A)(ii)(XIII), when the net countable income of the household does not exceed 250% of the federal poverty guideline for a household of the applicable size, the state will disregard earned and unearned income of the individual and spouse, or the minor individual and the minor individual's parents that is equal to the difference between the total countable income and the SSI federal benefit rate plus one dollar.
 3. To determine countable income for individuals under 1902(a)(10)(ii)(X), the state will disregard \$8.00 of the individual's gross income, or of the combined income of the individual and the individual's spouse, in addition to the other income disregards allowed under SSI criteria.

T.N. # 01-21

Approval Date 2-5-02

Supersedes T.N. # 94-22

Effective Date 10-1-01

SUPPLEMENT 8a TO ATTACHMENT 2.6-A
ADDENDUM

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

MORE LIBERAL METHODS OF TREATING INCOME
UNDER SECTION 1902(r)(2) OF THE ACT

For all eligibility groups not subject to the limitations on payment explained in Section 1903(f) of the Act: all wages paid by the Census Bureau for temporary employment related to Census 2000 activities are excluded.

Treatment of Earnings from Self-Employment:

For all eligibility groups, when determining self-employment net profit, the State will allow a 40% flat rate exclusion off the assistance unit's gross self-employment income. This exclusion is for allowable business expenses.

When the self-employed individual has actual business expenses greater than 40%, and chooses to provide verification of them, the self-employment net profit will be calculated using the same expenses as those allowed by the Internal Revenue Service.

T.N. # 01-21

Approval Date 2-5-02

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Effective Date 10-1-01

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

MORE LIBERAL METHODS OF TREATING RESOURCES
UNDER SECTION 1902(r)(2) OF THE ACT

 Section 1902(f) State

 X Non-Section 1902(f) State

1. For AFDC-related cases, Utah applies SSI methodologies for exempting income-producing property.
2. For AFDC-related Medicaid cases, retirement accounts owned by a disabled parent or disabled spouse will be excluded from available resources when the disabled parent or disabled spouse is not included in the AFDC-related Medicaid coverage.
3. Funds an individual contributes to a demonstration Individual Development Account and any interest accrued on those funds will be excluded from available resources.
4. For individuals who are eligible under 1902(a)(10)(A)(ii)(XIII), the following resource provisions apply:
 - a. Retirement accounts the individual owns will not be counted as an available resource.
 - b. A second vehicle that is needed by a spouse or child to get to work will be excluded from countable resources.
 - c. The individual may have up to \$15,000 in countable resources. This limit includes resources deemed from a spouse or from a minor individual's parents.
5. To determine eligibility under Aged, Blind or Disabled Medicaid programs other than Sec. 1902(a)(10)(A)(ii)(XIII), retirement accounts and the second vehicle needed for a working spouse or child that were excluded while the individual was eligible under 1902(a)(10)(A)(ii)(XIII) will continue to be excluded for the lifetime of the individual.

T.N. # 01-21

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

MORE LIBERAL METHODS OF TREATING RESOURCES
UNDER SECTION 1902(r)(2) OF THE ACT

 Section 1902(f) State

 X Non-Section 1902(f) State

1. For AFDC-related cases, Utah applies SSI methodologies for exempting income-producing property.
2. For AFDC-related Medicaid cases, retirement accounts owned by a disabled parent or disabled spouse will be excluded from available resources when the disabled parent or disabled spouse is not included in the AFDC-related Medicaid coverage.
3. Funds an individual contributes to a demonstration Individual Development Account and any interest accrued on those funds will be excluded from available resources.
4. For individuals who are eligible under 1902(a)(10)(A)(ii)(XIII), the following resource provisions apply:
 - d. Retirement accounts the individual owns will not be counted as an available resource.
 - e. A second vehicle that is needed by a spouse or child to get to work will be excluded from countable resources.
 - f. The individual may have up to \$15,000 in countable resources. This limit includes resources deemed from a spouse or from a minor individual's parents.
5. To determine eligibility under Aged, Blind or Disabled Medicaid programs other than Sec. 1902(a)(10)(A)(ii)(XIII), retirement accounts and the second vehicle needed for a working spouse or child that were excluded while the individual was eligible under 1902(a)(10)(A)(ii)(XIII) will continue to be excluded for the lifetime of the individual.

T.N. # 01-21

Approval Date 2-5-02

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Effective Date 10-1-01

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF RESOURCES

1902(f) and 1917
of the Act

The agency provides for the denial of eligibility by reason of disposal of resources for less than fair market value.

A. Except as noted below, the criteria for determining the period of ineligibility are the same as criteria specified in section 1917(c) of the Social Security Act (Act).

1. Transfer of resources other than the home of an individual who is an inpatient in a medical institution.

- a. The agency uses a procedure which provides for a total period of ineligibility greater than 24 months for individuals who have transferred resources for less than fair market value when the uncompensated value of disposed of resources exceeds \$12,000. This period bears a reasonable relationship to the uncompensated value of the transfer. The computation of the period and the reasonable relationship of this period to the uncompensated value is described as follows:

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Supersedes T.N. # 89-22

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF RESOURCES

- X b. The period of ineligibility is less than 30 months, as specified below:

Utah follows the requirements as required under Section 1917(c)(1).

- X c. The agency has provisions for waiver of denial of eligibility in any instance where the State determines that a denial would work an undue hardship.

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 89-22

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF RESOURCES

2. Transfer of the home of an individual who is an inpatient in a medical institution.

X A period of ineligibility applies to inpatients in an SNF, ICF or other medical institution as permitted under section 1917(c).

- a. Subject to the exceptions on page 2 of this supplement, an individual is ineligible for 30 months after the date on which he disposed of the home. However, if the uncompensated value of the home is less than the average amount payable under this plan for 30 months of care in an NF, the period of ineligibility is a shorter time, bearing a reasonable relationship (based on the average amount payable under this plan as medical assistance for care in an NF) to the uncompensated value of the home as follows:

Utah follows the requirements under Section 1917(c).

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 89-22

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF RESOURCES

- b. Subject to the exceptions on page 2 of this supplement, if the uncompensated value of the home is more than the average amount payable under this plan as medical assistance for 24 months of care in an SNF, the period of ineligibility is more than 24 months after the date on which he disposed of the home. The period of ineligibility bears a reasonable relationship (based upon the average amount payable under this plan as medical assistance for care in an SNF) to the uncompensated value of the home as follows:

N/A

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Approval Date 12-16-91

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Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF RESOURCES

No individual is ineligible by reason of item A.2 if --

N/A

- (i) A satisfactory showing is made to the agency (in accordance with any regulations of the Secretary of Health and Human Services) that the individual can reasonably be expected to be discharged from the medical institution and to return to that home;
- (ii) Title to the home was transferred to the individual's spouse or child who is under age 21, or (for States eligible to participate in the State program under title XVI of the Social Security Act) is blind or permanently and totally disabled or (for States not eligible to participate in the State program under title XVI of the Social Security Act) is blind or disabled as defined in section 1614 of the Act;
- (iii) A satisfactory showing is made to the agency (in accordance with any regulations of the Secretary of Health and Human Services) that the individual intended to dispose of the home either at fair market value or for other valuable consideration;
- (iv) The agency determines that denial of eligibility would work an undue hardship;
- (v) The resources were transferred exclusively for a purpose other than to qualify for medical assistance; or
- (vi) Other requirements of Section 1917(c)(2) are met.

T.N. # 91-21

Approval Date 12-16-91

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Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF RESOURCES

3. 1902(f) States

— Under the provisions of section 1902(f) of the Social Security Act, the following transfer of resource criteria more restrictive than those established under section 1917(c) of the Act, apply:

B. Other than those procedures specified elsewhere in the supplement, the procedures for implementing denial of eligibility by reason of disposal of resources for less than fair market value are as follows:

1. If the uncompensated value of the transfer is \$12,000 or less:

2. If the uncompensated value of the transfer is more than \$12,000:

N/A

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 89-22

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF RESOURCES

3. If the agency sets a period of ineligibility of less than 24 months and applies it to all transfers of resources (regardless of uncompensated value):

4. Other procedures:

N/A

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Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF RESOURCES

1917 of the Act

The agency provides for the denial of eligibility by reason of disposal of resources for less than fair market value that occurred on or before August 11, 1993, for services provided on or before October 1, 1993.

X An institutionalized individual who has applied for medical assistance under the State Plan, for nursing facility service, a level of care in any institution equivalent to that of nursing facility services, and home or community-based services under a waiver granted under subsection (c) or (d) of section 1915.

 A Non-institutionalized individual.

a. The criteria for determining the period of ineligibility are the same as the criteria specified in section 1917(c) of the Social Security Act.

T.N. # 93-40

Approval Date 2-22-94

Supersedes T.N. # New

Effective Date 10-1-93

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF RESOURCES

No individual is ineligible by reason of item A, if:

- (i) The assets were transferred to the individual's spouse, or to another, for the sole benefit of the individual's spouse;
- (ii) The assets were transferred from the individual's spouse to another, for the sole benefit of the individual's spouse;
- (iii) The assets were transferred to, or to a trust established solely for the benefit of, the individual's child who is blind or permanently and totally disabled as defined in section 1614 of the Social Security Act;
- (iv) The assets were transferred to a trust established solely for the benefit of an individual under age 65 who is disabled as defined in section 1614 of the Social Security Act;
- (v) Title to the home was transferred to the individual's spouse or child who is under age 21, or (for States eligible to participate in the State program under Title XVI of the Social Security Act) is blind or permanently and totally disabled or (for States not eligible to participate in the State program under Title XVI of the Social Security Act) is blind or disabled as defined in section 1614 of the Act;
- (vi) A satisfactory showing is made to the agency (in accordance with any regulations of the Secretary of Health and Human Services) that the individual intended to dispose of the asset either at fair market value or for other valuable consideration;
- (vii) The agency determines that denial of eligibility would work an undue hardship;
- (viii) The resources were transferred exclusively for a purpose other than to qualify for medical assistance; or
- (ix) Other requirements of Section 1917(c)(2) are met.

T.N. # 93-40Approval Date 2-22-94Supersedes T.N. # NewEffective Date 10-1-93

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF RESOURCES

1917(c) of the Act For transfer of resources made on or after July 1, 1988, and before August 11, 1993, the State is in compliance with the provisions of 1917(c) of the Social Security Act as amended by the provisions of the Medicare Catastrophic Coverage Act of 1988, the Family Support Act of 1988, and the Omnibus Budget Reconciliation Act of 1989.

For transfer of resources made on or after August 11, 1993, but only for services provided on or after October 1, 1993, the State is in compliance with the provisions of 1917(c) of the Social Security Act as amended by the provisions of the Omnibus Budget Reconciliation Act of 1993.

T.N. # 93-40 Approval Date 2-22-94

Supersedes T.N. # New Effective Date 10-1-93

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF ASSETS

1917(c)

The agency provides for the denial of certain Medicaid services by reason of disposal of assets for less than fair market value.

1. Institutionalized individuals may be denied certain Medicaid services upon disposing of assets for less than fair market value on or after the look-back date.

The agency withholds payment to institutionalized individuals for the following services:

Payments based on a level of care in a nursing facility;

Payments based on a nursing facility level of care in a medical institution;

Home and community-based services under a 1915 waiver.

2. Non-institutionalized individuals:

— The agency applies these provisions to the following non-institutionalized eligibility groups. These groups can be no more restrictive than those set forth in section 1905(a) of the Social Security Act:

The agency withholds payment to non-institutionalized individuals for the following services:

Home health services (section 1905(a)(7);

Home and community care for functionally disabled and elderly adults (section 1905(a)(22);

Personal care services furnished to individuals who are not inpatients in certain medical institutions, as recognized under agency law and specified in section 1905(a)(24).

— The following other long-term care services for which medical assistance is otherwise under the agency plan:

T.N. # 95-09

Approval Date 8-17-95

Supersedes T.N. # New

Effective Date 7-1-95

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF ASSETS

3. Penalty Date -- The beginning date of each penalty period imposed for an uncompensated transfer of assets is:

X The first day of the month in which the asset was transferred;

 The first day of the month following the month of transfer.

4. Penalty Period - Institutionalized Individuals --
In determining the penalty for an institutionalized individual, the agency uses:

X The average monthly cost to a private patient of nursing facility services in the agency;

 The average monthly cost to a private patient of nursing facility services in the community in which the individual is institutionalized.

5. Penalty Period - Non-institutionalized Individuals --
The agency imposes a penalty period determined by using the same method as is used for an institutionalized individual, including the use of the average monthly cost of nursing facility services;

 Imposes a shorter penalty period than would be imposed for institutionalized individuals, as outlined below:

No penalty for non-institutionalized individuals.

T.N. # 95-09

Approval Date 8-17-95

Supersedes T.N. # New

Effective Date 7-1-95

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF ASSETS

6. Penalty Period for Amounts of Transfer Less Than Cost of Nursing Facility Care --
- a. Where the amount of the transfer is less than the monthly cost of nursing facility care, the agency:
- ☒ Does not impose a penalty;
- ☐ Imposes a penalty for less than a full month, based on the proportion of the agency's private nursing facility rate was transferred.
- b. Where an individual makes a series of transfers, each less than the private nursing facility rate for a month, the agency:
- ☒ Does not impose a penalty;
- ☐ Imposes a series of penalties, each for less than a full month.
7. Transfers Make So That Penalty Periods Would Overlap --
The agency:
- ☐ Totals the value of all assets transferred to produce a single penalty period;
- ☒ Calculates the individual penalty periods and imposes them sequentially.
8. Transfers Made So That the penalty Periods Would Not Overlap
The agency:
- ☒ Assigns each transfer its own penalty period;
- ☐ Uses the method outlined below:

T.N. # 95-09

Approval Date 8-17-95

Supersedes T.N. # New

Effective Date 7-1-95

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF ASSETS

9. Penalty Periods - Transfer by a Spouse That Results in a
Penalty Period For the Individual --

- a. The agency apportions any existing penalty period between the spouses using the method outlined below, provided the spouse is eligible for Medicaid. A penalty can be assessed against the spouse, and some portion of the penalty against the individual remains.

If both spouses are institutionalized or placed on waiver at the same time, the penalty period would be equally divided between them. If one is institutionalized or placed on waiver after the first one, then the remaining value of transferred assets for which a sanction period exists would be divided between the two spouses and a sanction period set for each. If one spouse leaves the institution or waiver before the other while a sanction period is still in effect for each, the remaining value of transferred assets from the non-institutionalized, or non-waiver, spouse will be added to the value of the transferred assets remaining on the institutionalized or waiver client's sanction period, and a new sanction period recalculated. The spouse remaining in the institution or on the waiver will be sanctioned for the number of months determined by the recalculation.

- b. If one spouse is no longer subject to a penalty, the remaining penalty period must be served by the remaining spouse.

10. Treatment of Income As An Asset --

When income has been transferred as a lump sum, the agency will calculate the penalty period on the lump sum value.

 The agency will impose partial month penalty periods.

When a stream of income or the right to a stream of income has been transferred, the agency will impose a penalty period for each income payment.

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Approval Date 8-17-95

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Effective Date 7-1-95

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF ASSETS

- ☐ For transfers of individual income payments, the agency will impose partial month penalty periods.
- ☐ For transfers of the right to an income stream, the agency will use the actuarial value of all payments transferred.
- ☒ The agency uses an alternate method to calculate penalty periods, as described below:

The length of the sanction period will equal the value of the income transferred, divided by the average daily Medicaid payment rate.

T.N. # 95-09

Approval Date 8-17-95

Supersedes T.N. # New

Effective Date 7-1-95

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF ASSETS

11. Imposition Of a Penalty Would Work an Undue Hardship --

The agency does not apply the transfer of assets provisions in any case in which the agency determines that such an application would work an undue hardship. The agency will use the following procedures in making undue hardship determinations:

- a. When a client is notified that a sanction will be imposed because of a transfer of assets, the notice will inform them of the undue hardship policy.
- b. When a client or representative claims undue hardship exists, the eligibility worker will review the claim to decide if undue hardship criteria are met.
- c. A client has a right to appeal the agency's decision.

The following criteria will be used to determine whether the agency will not count assets transferred because the penalty would work an undue hardship:

- a. The client has exhausted all reasonable legal means to access or regain possession of the trust assets, or has demonstrated that efforts to access or regain possession of the trust assets would probably not succeed.
- b. The client meets the following conditions:
 - (1) Without Medicaid, the client would be unable to receive medical care and is at risk of death or permanent disability without the medical care; and
 - (2) The client and the client's spouse or parent(s) of a minor child cannot afford to meet the cost of the client's medical needs at home.

T.N. # 95-09

Approval Date 8-17-95

Supersedes T.N. # New

Effective Date 7-1-95

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF ASSETS

The agency does not apply the trust provisions in any case in which the agency determines that such application would work an undue hardship.

The following criteria will be used to determine whether the agency will not count assets transferred because doing so would work an undue hardship:

1. The client has exhausted all reasonable legal means to regain possession of the transferred asset, or has shown that efforts to regain the asset would be unsuccessful.
2. The client meets the following conditions:
 - a. Without Medicaid, the client would be unable to receive medical care and is at risk of death or permanent disability without the medical care; and
 - b. The client and the client's spouse or parent(s) of a minor child cannot afford to meet the cost of the client's medical needs at home.

Under the agency's undue hardship provisions, the agency exempts the funds in an irrevocable burial trust.

The maximum value of the exemption for an irrevocable burial trust is \$7,000.

T.N. # 95-09

Approval Date 8-17-95

Supersedes T.N. # 95-40

Effective Date 7-1-95

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF ASSETS -- UNDUE HARDSHIP

1917(c)(2)(d)
of the Act

The following criteria will be used to determine whether the agency will not apply a period of ineligibility due to a transfer of assets, because it would work an undue hardship for categorically and medically needy individuals:

1. The client has exhausted all reasonable legal means to gain access to the trust income and principal. It is not reasonable to require the client to take action if a knowledgeable source (such as the client's lawyer or financial institution) confirms that it is doubtful those efforts will succeed. That knowledgeable source must explain the reason for the decision. The local office worker or supervisor must agree that it is doubtful those efforts will succeed. Workers may contact the Policy Development Unit for advice or assistance if needed. It is not reasonable to require the client to take action more costly than the value of the trust; and
2. Without Medicaid coverage, the client will not be able to get the medical care needed AND the client is at risk of death or permanent disability without that care. This must be verified by a physician's statement. All other resources must be considered, including potential disbursements from the trust. Additionally, it must be documented that the client and the client's responsible spouse or parent(s) cannot afford to meet the client's medical needs (count only the income and assets of people who are legally obligated to support the client). The client must verify that the cost of medical care which is not the responsibility of third parties, added to normal living costs, exceeds the available income and assets.

T.N. # 93-40Approval Date 2-22-94Supersedes T.N. # NewEffective Date 10-1-93

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

COST EFFECTIVENESS METHODOLOGY FOR
COBRA CONTINUATION BENEFICIARIES

Citation

Condition or Requirement

1902(u) of the Act

Premium payments are made by the agency only if such payments are likely to be cost-effective. The agency specifies the guidelines used in determining cost effectiveness by selecting one of the following methods:

☐ The methodology as described in SMM section 3598.

☐ Another cost-effective methodology as described below.

N/A

T.N. # 91-25

Approval Date 7-10-92

Supersedes T.N. # New

Effective Date 12-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

VARIATIONS FROM THE BASIC PERSONAL NEEDS ALLOWANCE

Disclosure State for Post-Eligibility Preprint

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is #0938-0673. The time required to complete this information collection is estimated at 5 hours per response, including the time to review instructions, searching existing data resources, gathering the data needed and completing and reviewing the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: HCFA, 7500 Security Boulevard, N2-14-26, Baltimore, Maryland 21244-1850 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.

T.N. # _____ 99-01 _____

Approval Date _____ 4-28-99 _____

Supersedes T.N. # _____ New _____

Effective Date _____ 1-1-99 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

ELIGIBILITY UNDER SECTION 1931 OF THE ACT

The State covers low-income families and children under Section 1931 of the Act.

The following groups were included in the AFDC State Plan effective July 16, 1996:

☒ Pregnant women with no other eligible children.

☒ AFDC children age 18 who are full-time students in a secondary school or in the equivalent level of vocational or technical training.

☐ In determining eligibility for Medicaid, the agency uses the AFDC standards and methodologies in effect as of July 16, 1996 without modification.

☒ In determining eligibility for Medicaid, the agency uses the AFDC standards and methodologies in effect as of July 16, 1996 with the following modifications.

☐ The agency applies lower income standards which are no lower than the AFDC standards in effect on May 1, 1988, as follows:

☒ The agency applies higher income standards than those in effect as of July 16, 1996, increased by no more than the percentage increases in the CPI-U since July 16, 1996, as follows: Increased the need standard and the AFDC payment standard by 2.7%; the CPI-U from July 16, 1996 through December 31, 1997.

☐ The agency applies higher resource standards than those in effect as of July 16, 1996, increased by no more than the percentage increases in the CPI-U since July 16, 1996, as follows:

T.N. # 98-08

Approval Date 1-10-00

Supersedes T.N. # 97-03

Effective Date 7-1-98

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

ELIGIBILITY UNDER SECTION 1931 OF THE ACT (Cont.)

 X The agency uses less restrictive income and/or resource methodologies than those in effect as of July 16, 1996, as follows:

The State shall disregard \$1.00, plus the amount equal to the difference between the BMS for the household size and the corresponding State AFDC payment standard for a household the size of the Medicaid budget unit involved.

When determining net profit from self-employment, the State shall exclude 40 percent of the gross self-employment income for business expenses.

If the self-employed individual chooses to verify actual business expenses greater than 40 percent of the gross self-employment income, the State shall determine the net profit from self-employment by deducting any actual business expenses that would be allowed by the Internal Revenue Service from the gross self-employment income.

If the total gross earned income of the specified relative does not exceed 185% of the Federal poverty level for the household size in the month the household loses eligibility due to earnings, the State will disregard the earned income of the specified relative for six months. In the seventh month after the household would have initially lost eligibility due to earnings, if the total gross earned income of the specified relative does not exceed 185% of the Federal poverty level for the household size, the State will disregard the earned income of the specified relative for an additional six months.

The State shall disregard the equity value of one vehicle that meets the definition of a "passenger vehicle" as defined in UCA 26-18-2(6) or the State shall disregard \$1500 or the equity value of any one vehicle whichever provides the greatest disregard for the household.

T.N. # 01-05

Approval Date 6-6-01

Supersedes T.N. # New

Effective Date 1-1-01

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

ELIGIBILITY UNDER SECTION 1931 OF THE ACT (Cont.)

 X The agency uses less restrictive income and/or resource methodologies than those in effect as of July 16, 1996, as follows:

Interest accrued on funds an individual contributes to a demonstration Individual Development Account will be excluded from countable income.

For 1931 Medicaid, retirement accounts owned by a disabled parent or disabled spouse will be excluded from available resources when the disabled parent or disabled spouse is not included in the 1931 Medicaid coverage.

Funds an individual contributes to a demonstration Individual Development Account and any interest accrued on those funds will be excluded from available resources.

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Supersedes T.N. # New

Effective Date 10-1-01

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

ELIGIBILITY UNDER SECTION 1931 OF THE ACT (Cont.)

- X The agency uses less restrictive income and/or resource methodologies than those in effect as of July 16, 1996, as follows:

The State shall apply a \$1,000 resource limit with an additional \$1,000 of resources disregarded for a household size of one. For a household size of two, \$2,000 in additional resources will be disregarded. For a household larger than two persons, \$2,000 plus \$25 in additional resources for each person in excess of two persons will be disregarded.

- The agency terminates medical assistance (except for certain pregnant women and children) for individuals who fail to meet TANF work requirements.

- X The agency continues to apply the following waivers of provisions of Part A of Title IV in effect as of July 16, 1996, or submitted prior to August 22, 1966 and approved by the Secretary on or before July 1, 1997.

These waivers will apply only to TANF cash assistance and diversion payment recipients. They will be continued only for so long as eligibility for TANF cash assistance and diversion assistance is established in the same manner as eligibility for AFDC was established under the welfare reform demonstration project for which these waivers were originally approved.

See item #1 on the following pages.

T.N. # 01-05

Approval Date 6-6-01

Supersedes T.N. # 98-08

Effective Date 1-1-01

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

ELIGIBILITY UNDER SECTION 1931 OF THE ACT (Cont.)

1. The agency continues to apply the following waivers of provisions of Part A of Title IV in effect as of July 16, 1996, or submitted prior to August 22, 1996 and approved by the Secretary on or before July 1, 1997.
 - A. Waiver of Section 402(a)(8)(A)(ii) and (iv) and 402(a)(8)(B)(ii) and various provisions of the regulation at 45 CFR 233.20(a)(11)(i)(B) and (D) and (ii)(B). The \$90.00 income disregard and the 30 and 1/3 income disregard are replaced with a \$100.00 income disregard and 50% income disregard. These disregards will be applied to each individual's earnings and they will not be time limited.
 - B. Waiver of Section 402(a)(7) before clause (A), and 402(a)(8)(A) and various provisions of the regulations at 45 CFR 233.20(a)(3)(ii) and 45 CFR 233.20(a)(3)(i)(A). This waiver permits child support legally owed by the non-custodial parent, and paid to a non-household member, to be deducted from any remaining income after the earned income disregards and child care deductions have been applied. This deduction is allowed in the net and grant test for assistance.
 1. To be legally owed, the child support must be ordered or mandated by a judge, court order, or other legal document that would be upheld in a court of law. Agreements between parents do not constitute legally obligated child support.
 2. If a payment is made to a third party in place of the child support payment, the amount will still be allowed as a deduction. For example, if the non-custodial parent pays the mortgage payment instead of paying cash directly to the custodial parent, the amount applied to the mortgage payment will be used as a deduction.
 - C. Waiver of section 402(a)(7)(B) and various provisions at 45 CFR 233.20(a)(3)(i)(B)(2). When determining countable resources, up to \$8,000 of the equity value of one vehicle will be disregarded for each household. If the one vehicle the household applies this exclusion to is equipped to transport a disabled household member, the entire equity value will be disregarded. The equity value of any additional vehicles will be fully countable as an asset.

T.N. # 98-08

Approval Date 1-10-00

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Effective Date 7-1-98

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

ELIGIBILITY UNDER SECTION 1931 OF THE ACT (Cont.)

- D. Section 402(a)(7)(B) and various provisions of the regulations at 45 CFR 233.20(a)(3)(i)(B). The resource limit will be \$2,000.
- E. Waiver of Section 402(a)(41) and 407 of the Social Security Act, 45 CFR 233.100(a)(1) and (c)(1)(iii). A child will be considered deprived of parental support if family income is below the applicable standard, regardless of the number of hours that the principal wage earner is employed.
- F. Waiver of section 406(a), 45 CFR 233.90(c)(iii). A child will be considered deprived of parental support when one of the parents has a continued absence from the home, even if the absent parent continues to provide maintenance, physical care, or guidance. Absence solely due to active duty in the uniformed services of the United States will not be considered absence from the home for deprivation purposes.
- G. Waiver of section 402(a), 45 CFR 233.20(a). A diversion participant shall be deemed to be a financial recipient, meeting all income, resource, and deprivation requirements, for three months beginning with the date of application. A diversion participant is defined as an individual who otherwise meets AFDC requirements, but agrees to have his/her application for financial assistance denied in return for a one-time diversion payment that meets the household's basic or special needs for a three month period.
1. Once a person becomes a diversion participant, the individual is deemed to meet AFDC income and resource requirements by means of disregarding all income and resources of the participant during the diversion period.
 2. Once a person becomes a diversion participant, the individual is deemed to meet AFDC deprivation requirements by means of stating no deprivation requirements are applicable during the diversion period for participants.
 3. Once a person becomes a diversion participant, the individual is deemed to meet AFDC specified relative requirements by means of stating that a child is not required to live with a specified relative during the diversion period.

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February 2000

SUPPLEMENT 12a TO ATTACHMENT 2.6-A
ADDENDUM

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

ELIGIBILITY UNDER SECTION 1931 OF THE ACT (Cont.)

The State covers low-income families and children under section 1931 of the Act.

X The agency uses less restrictive income and/or resource methodologies than those in effect as of July 16, 1996, as follows:

All wages paid by the Census Bureau for temporary employment related to Census 2000 activities are excluded.

 The income and/or resource methodologies that the less restrictive methodologies replace are as follows:

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Effective Date 4-1-00

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

SECTION 1924 PROVISIONS

- A. Income and resource eligibility policies used to determine eligibility for institutionalized individuals who have spouses living in the community are consistent with 1924.
- B. In the determination of resource eligibility the State resource standard is \$12,000 but increases yearly by the CPI as required under section 1924 of the Act.
- C. The definition of undue hardship for purposes of determining if the institutionalized spouses receive Medicaid in spite of having excess countable resources is described below:

Spousal assets exceeding the spouse's assessed share may be declared unavailable to the client if:

- 1. The client's spouse refuses to make the assets available,

AND

- 2. Counting the spouse's assets as available to the institutionalized client causes the client to exceed the asset limit,

AND

- 3. The client is not able to complete the ORS FORM 048,

AND

- 4. Without Medicaid coverage for institutional care, the client will not be able to get the medical care needed,

AND

- 5. The client is at risk of permanent disability without institutional care. This must be verified by a physician's statement.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

INCOME AND RESOURCE REQUIREMENTS FOR TUBERCULOSIS (TB)
INFECTED INDIVIDUALS

For TB infected individuals under section 1902(z)(1) of the Act, the income and resource eligibility levels are as follows:

The resource standard for individuals infected with tuberculosis is the maximum amount of resources that an individual or couple may have and obtain benefits for Supplemental Security Income under Title XVI of the Social Security Act.

The gross income standard for individuals infected with tuberculosis is the maximum amount of income a disabled individual described in Section 1902(a)(10)(A)(i) of the Social Security Act may have and obtain medical assistance under the plan.

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